

**REMARKS**

Claims 1-5, 7-9, 13-17, 19-30, 35-36, and 39-41 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Number 6,618,727 B1 by Wheeler et al. (hereinafter "Wheeler"). Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Wheeler, as applied to claims 1-5, 7-9, 13-17, 19-30, 35-36, and 39-41 above and in view of U.S. Patent Number 6,026,409 by Blumenthal (hereinafter "Blumenthal"). Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Wheeler as applied to claims 1-5, 7-9, 13-17, 19-30, 35-36, and 39-41 above and in view of U.S. Patent 5,675,819 by Schuetze (herein after "Schuetze"). Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler, as applied to claims 1-5, 7-9, 13-17, 19-30, 35-36, and 39-41 above and in view of U.S. Patent 5,983,216 by Kirsch, et al. (hereinafter "Kirsch"). Claims 18, 33, 34, 38, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler, as applied to claims 1-5, 7-9, 13-17, 19-30, and 39-41 above and in view of U.S. Patent 5,675,819 by Agrawal, et al. (hereinafter "Agrawal"). Claims 31, 32, 37, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler, as applied to claims 1-5, 7-9, 13-17, 19-30, and 39-41 above and in view of U.S. Patent 20030084040A1 by Jeffrey (hereinafter "Jeffrey").

**35 U.S.C. §102 rejections**

The Examiner has rejected claims 1-5, 7-9, 13-17, 19-30, 35-36, and 39-41 under 35 U.S.C. 102(e) as being anticipated by Wheeler. In regards to claim 1, the examiner rejected Applicants' previous argument and responds that:

In response to the preceding arguments, Examiner respectfully submits that Wheeler teach[es] [a] similarity search system and method that allows for efficiently searching very large source databases for similarity search criteria specified in a query (col. 1, lines 7-10). Wheeler displays results of a document comparison similarity search which shows the side by side display of the document comparison search result for two documents. The document labeled anchor 340 is the first document in a hierarchical language that is annotated with a scoring method, weighing and parent scoring algorithm. The score 341 represents the similarity search results as specified by the scoring method the objects of the first and second document (col. 20, lines 35-47).

(Office Action dated 01/11/05, page 11)

However Applicants' reaffirm that Wheeler does not anticipate claim 1 under 35 U.S.C. §102(e). Applicants will first address the Examiner's counter argument and then the Examiner's original argument in the first office action. Claim 1 states:

1. A method comprising:

generating a list of one or more related documents ranked based upon relevance to a first representation of content associated with a first field of a reference extensible markup language document, the first representation including of a set of terms and one or more weighted values associated with each term in the set of terms; and

generating a link to each of the one or more related documents.

(Emphasis Added)

Applicants' reaffirm that Wheeler does not disclose generating a list of one or more related documents ranked upon relevance to a first representation of content. As stated by the Examiner, "Wheeler displays results of a document comparison similarity search which shows the side by side display of the document comparison search result for two documents." Office Action, page 11. Displaying the results of a document comparison

similarity search is not the same as generating a list of one or more related documents ranked based upon relevance to a first representation of content. Wheeler is merely comparing two documents for individual similarities, as shown by the two documents in Figure 25. Wheeler fails to generate a list of related documents ranked upon relevance to a first representation of content.

To further distinguish Wheeler from claim 1, Wheeler only discloses the generating of report results in general. There is no disclosure of the report results being presented in the form of a list of ranked documents relevant to a first representation of content, an example of which can be seen in Figure 1, item 108 of the specification. Specifically Wheeler states, "A query is the actual search request containing the search criteria. It is usually dynamically specified by the user, but can also be a previously generated stored query. Once the query is entered, the similarity search scores are assigned, the parent scores are computed from their children and report results are generated." Col. 7, lines 58-63. Emphasis added. Wheeler, does not further elaborate on the contents of the report results being in the form of a ranked list of relevant documents.

As stated in the previous response, Wheeler also fails to disclose that each term in the first representation of content has one or more weighted values associated with each term. In Wheeler, the entire search query may be assigned a single weighted value, rather than each term within the query having one or more weighted values. Wheeler supports this by stating that each parent/child object may be given a weighting, but not each term with the search query. "The weighting among attributes 73

determines the relative weight to be given to each parent/child object in a search where there are multiple children within a parent object." Col. 11, lines 53-55.

Applicants respectfully assert that Wheeler does not disclose the generation of a list of one or more related documents ranked upon relevance to a first representation of content. Applicants further assert that Wheeler does disclose that each term within a first representation of content may have one or more weighted values. Therefore, Wheeler does not disclose or suggest all the limitations stated in claim 1. Thus, claim 1 is not anticipated under 35 U.S.C. §102(e) by Wheeler.

Claims 2-12 all depend upon and include the limitations of claim 1. Therefore claims 2-12 are also not anticipated by Wheeler under 35 U.S.C. §102(e).

Likewise, independent claim 13 includes the limitation "the generation of a list of one or more related documents ranked based upon relevance to a first representation of content... including a set of terms and one or more weighted values associated with each term in the set of terms"

As discussed above, Wheeler does not disclose, "generating a list of one or more related documents ranked based upon relevance to a first representation of content." Further, Wheeler does not disclose that each term within a search query may have one or more weighted values associated with each term. As such, claim 13 is not anticipated by Wheeler under 35 U.S.C. § 102(e).

Claims 14-20 all depend upon and include the limitations of claim 13. Therefore claims 14-20 are also not anticipated by Wheeler under 35 U.S.C. §102(e).

Applicants respectfully assert that independent claim 21 is not anticipated by Wheeler under 35 U.S.C. § 102(e). Claim 21 states:

A method, comprising:

receiving a reference extensible markup language document as a first input to an engine;

specifying a first field in the reference extensible markup language document as a second input to an engine;

generating a list of related documents ranked based upon their semantic similarity to content in the first field in the reference extensible markup language document; and

generating a link to each related document in the list.

(Emphasis Added)

As discussed above, Wheeler is completely silent regarding “generating a list of related documents ranked based upon their semantic similarity to content in the first field in the reference extensible markup language document.” Wheeler only discloses the generating of report results in general. There is not further detail given that the results might come in the form of a listed of related documents ranked based upon their semantic similarity to content in the first field in the reference document. Therefore, claim 21 is not anticipated by Wheeler under 35 U.S.C. § 102(e).

Claims 22-23 depend upon and include the limitations of claim 21. Therefore claims 22-23 are also not anticipated by Wheeler under 35 U.S.C. §102(e).

In regards to independent claim 24, the Examiner rejected Applicants' previous argument and responds that:

In response to the preceding arguments, Examiner respectfully submits that Wheeler teaches the above limitation as displaying the results of a document comparison similarity search which shows the side by side display of the document comparison search result for two documents. Office Action, page 11-12.

However Applicants' reaffirm that Wheeler does not anticipate claim 24

under 35 U.S.C. §102(e). Claim 24 also includes the limitation “generating a list of related documents ranked based upon their semantic similarity to content in the first field in the reference extensible markup language document.” Displaying the results of a document comparison similarity search which shows the side by side display of the document comparison search result for two documents, as disclosed by Wheeler in Col. 2, lines 20-42, is not the same as generating a list of related documents ranked based upon their semantic similarity to content in the first field in the reference extensible markup language document. As such, claim 24 is not anticipated by Wheeler under 35 U.S.C. § 102(e).

Claims 25-26 depend upon and include the limitations of claim 24. Therefore claims 25-26 are also not anticipated by Wheeler under 35 U.S.C. §102(e).

Independent claim 27 includes the limitation “the generation of a list of one or more related documents ranked upon relevance to a first representation of content.” As discussed above, Wheeler does not disclose “the generation of a list of one or more related documents ranked upon relevance to a first representation of content.” As such, claim 27 is not anticipated by Wheeler under 35 U.S.C. § 102(e).

Claim 28 depends upon and includes the limitations of claim 27. Therefore claim 28 is also not anticipated by Wheeler under 35 U.S.C. §102(e).

In regards to independent claim 29, the Examiner rejected Applicants’ previous argument and responds that:

In response to the preceding arguments, Examiner respectfully submits that Wheeler teaches the above limitation as FIG. 25 shows an example of a graphical user interface (i.e. active desktop window) displaying the

results of a document comparison similarity search. It shows the side by side comparison search result for two documents.  
(Office Action page 12-13)

However, Applicants assert that Wheeler does not anticipate independent claim 29 under 35 U.S.C. §102(e). Claim 29 states:

29. A method comprising:  
executing a query on the content from an active desktop window without a user having to request the query;  
generating a ranked list of documents related to the content based on the content in the active desktop window; and  
generating links to the documents.

(Emphasis Added)

Although Wheeler may display results in an active desktop window, as stated above, Wheeler fails to disclose the generating of a ranked list of documents related to the content based on the content in the active desktop window. As such, claim 24 is not anticipated by Wheeler under 35 U.S.C. § 102(e).

Independent claim 35, includes the limitation “generating a ranked list of documents related to the content based on the content in the active desktop window.”

As discussed above, Wheeler does not disclose, “generating a ranked list of documents related to the content based on the content in the active desktop window.” As such, claim 35 is not anticipated by Wheeler under 35 U.S.C. § 102(e).

Claims 36-38 all depend upon and include the limitations of claim 35. Therefore claims 35-38 are also not anticipated by Wheeler under 35 U.S.C. §102(e).

Independent claim 39, includes the limitation “generating a ranked list of documents related to the content based on the content in the active desktop window.”

As discussed above, Wheeler does not disclose, "generating a ranked list of documents related to the content based on the content in the active desktop window. As such, claim 39 is not anticipated by Wheeler under 35 U.S.C. § 102(e).

Claims 40-43 all depend upon and include the limitations of claim 35. Therefore claims 40-43 are also not anticipated by Wheeler under 35 U.S.C. §102(e).

### **35 U.S.C. §103 rejections**

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Wheeler, as applied to claims 1-5, 7-9, 13-17, 19-30, 35-36, and 39-41 above and in view of U.S. Patent Number 6,026,409 by Blumenthal (hereinafter "Blumenthal").

In regards to claim 6, the Examiner has rejected Applicants' previous argument and stated that:

Wheeler displays the results of a document comparison similarity search show shows the side by side display of the document comparison search result for two documents.  
(Office Action, page 13-14).

As discussed above, Wheeler does not disclose, "the generation of a list of one or more related documents ranked based upon relevance to a first representation of content." Applicants also submit that Blumenthal does not disclose, "the generation of a list of one or more related documents ranked based upon relevance to a first representation of content." Blumenthal is completely silent regarding generating of a list of related documents ranked based upon relevance to the representation of content. If a reference does not discuss a limitation, then that reference cannot disclose or suggest that limitation.

Therefore, in view of the above distinction, neither Wheeler nor Blumenthal, individually or in combination, disclose each and every limitation of claim 6. As such, claim 6 is not rendered obvious by Wheeler in view of Blumenthal under 35 U.S.C. § 103(a).

Claim 10 is rejected under 35 U.S.C. § 103(a) as being upatentable over Wheeler, as applied to claims 1-5, 7-9, 13-17, 19-30, 35-36, and 39-41 above and in view of U.S. Patent Number 5,675,819 by Schuetze (hereinafter "Schuetze"). In regards to claim 6, the Examiner has rejected Applicants' previous argument and stated that:

Wheeler displays the results of a document comparison similarity search show shows the side by side display of the document comparison search result for two documents.  
(Office Action, page 14).

As discussed above, Wheeler does not disclose, "the generation of a list of one or more related documents ranked based upon relevance to a first representation of content." Applicants also submit that Schuetze does not disclose, "the generation of a list of one or more related documents ranked based upon relevance to a first representation of content." Schuetze is completely silent regarding generating of a list of related documents ranked based upon relevance to the representation of content. If a reference does not discuss a limitation, then that reference cannot disclose or suggest that limitation.

Therefore, in view of the above distinction, neither Wheeler nor Schuetze, individually or in combination, disclose each and every limitation of claim 10. As such,

claim 10 is not rendered obvious by Wheeler in view of Schuetze under 35 U.S.C. § 103(a).

Claims 11-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wheeler, as applied to claims 1-5, 7-9, 13-17, 19-30, 35-36, and 39-41 above and in view of U.S. Patent Number 5,983,216 by Kirsch (hereinafter "Kirsch").

As discussed above, Wheeler does not disclose, "the generation of a list of one or more related documents ranked based upon relevance to a first representation of content." Applicants also submit that Kirsch does not disclose, "the generation of a list of one or more related documents ranked based upon relevance to a first representation of content." Kirsch is completely silent regarding generating of a list of related documents ranked based upon relevance to the representation of content. If a reference does not discuss a limitation, then that reference cannot disclose or suggest that limitation.

Therefore, in view of the above distinction, neither Wheeler nor Kirsch, individually or in combination, disclose each and every limitation of claims 11-12. As such, claims 11-12 are not rendered obvious by Wheeler in view of Kirsch under 35 U.S.C. § 103(a).

Claims 18, 33, 34, 38, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler, as applied to claims 1-5, 7-9, 13-17, 19-30, and 39-41 above and in view of U.S. Patent 5,675,819 by Agrawal, et al. (hereinafter "Agrawal").

As discussed above, Wheeler does not disclose, "the generation of a list of one or more related documents ranked based upon relevance to a first representation of

content." Applicants also submit that Agrawal does not disclose, "the generation of a list of one or more related documents ranked based upon relevance to a first representation of content." Agrawal is completely silent regarding generating of a list of related documents ranked based upon relevance to the representation of content. If a reference does not discuss a limitation, then that reference cannot disclose or suggest that limitation.

Therefore, in view of the above distinction, neither Wheeler nor Agrawal, individually or in combination, disclose each and every limitation of claims 18, 33, 34, 38, and 43. As such, claims 18, 33, 34, 38, and 43 are not rendered obvious by Wheeler in view of Agrawal under 35 U.S.C. § 103(a).

Claims 31, 32, 37, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler, as applied to claims 1-5, 7-9, 13-17, 19-30, and 39-41 above and in view of U.S. Patent 20030084040A1 by Jeffrey (hereinafter "Jeffrey").

As discussed above, Wheeler does not disclose, "the generation of a list of one or more related documents ranked based upon relevance to a first representation of content." Applicants also submit that Jeffrey does not disclose, "the generation of a list of one or more related documents ranked based upon relevance to a first representation of content." Jeffrey is completely silent regarding generating of a list of related documents ranked based upon relevance to the representation of content. If a reference does not discuss a limitation, then that reference cannot disclose or suggest that limitation.

Therefore, in view of the above distinction, neither Wheeler nor Jeffrey, individually or in combination, disclose each and every limitation of claims 31, 32, 37, and 42. As such, claims 31, 32, 37, and 42 are not rendered obvious by Wheeler in view of Jeffrey under 35 U.S.C. § 103(a).

## Conclusion

It is respectfully submitted that in view of the remarks set forth herein, the rejections have been overcome. **[Applicants have also enclosed a Notice to Appeal with this response.]** Applicants reserve all rights with respect to the application of the doctrine equivalents. If there are any additional charges, please charge them to our Deposit Account No. 02-2666. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: May 11, 2005

  
\_\_\_\_\_  
Thomas S. Ferrill  
Reg. No. 42,532  
Tel.:(408) 720-8300

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1026